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\*Of Counsel  
\*\*A Professional Corporation

Assistant Commissioner for Patents  
Washington DC 20231

Re: Notice to File Missing Parts of Nonprovisional Application  
Entitled: An Integrated Biochip System for Sample Preparation and Analysis  
Appl. No.: 09/973,629  
Filed: October 9, 2001  
Inventors: Cheng et al.  
Our Ref.: ART-00105.P.1.1-US

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on November 9, 2001, applicants respectfully submit a signed declaration. This submission is filed within the proper 2 month period, and thus no extension of time is required. The fee as required under 37 CFR 1.16(I) is enclosed.

It is respectfully requested that the attached postcard be stamped with the filing date and unofficial application number and returned as soon as possible.

Please apply any charges not covered, or any credits, to **Deposit Account 501321** in the name of David R. Preston & Associates having **Customer Number 24232**.

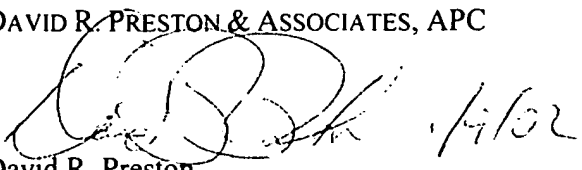
David R. Preston & Associates, A.P.C.  
**DRPNA**

[www.q-creative.com/drpreston](http://www.q-creative.com/drpreston)  
phone: 858.724.0375  
facsimile: 858.724.0384

**COPY OF PAPERS  
ORIGINALLY FILED**

Respectfully Submitted,

DAVID R. PRESTON & ASSOCIATES, APC



David R. Preston  
Attorney for Applicant  
Registration No. 38,710

David R. Preston & Associates, A.P.C.

**DRPNA**

[www.q-creative.com/drpreston](http://www.q-creative.com/drpreston)

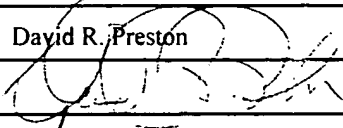
phone: 858.724.0375

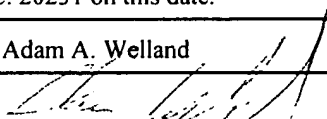
facsimile: 858.724.0384

FEB 20 2002

|   |   |                         |                    |
|---|---|-------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |   | Application Number:     | 09/973,629         |
|   |   | Filing Date:            | October 9, 2001    |
|   |   | First Named Inventor:   | Cheng, Jing        |
|   |   | Group Art Unit:         | To be determined   |
|   |   | Examiner:               | To be determined   |
| Total Pages in This Submission:   | 9 | Attorney Docket Number: | ART-00105.P.1.1-US |

| ENCLOSURES (check all that apply)  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers (for an Application)                          | <input type="checkbox"/> After Allowance Communication to Group   |
| <input checked="" type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Amendment / Response  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group (Appeal, Notice, Brief, Reply Brief)                                   |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition     | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits / Declarations(s)                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application                | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Requests  | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Additional Inclosures, identified below:<br>- Postcard<br><b>COPY OF PAPERS<br/>ORIGINALLY FILED</b> |
| <input type="checkbox"/> Express Abandonment Request                                       | <input type="checkbox"/> Terminal Disclaimer   |   |
| <input type="checkbox"/> Information Disclosure Statement                                  | <input type="checkbox"/> Small Entity Statement  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                            | <input type="checkbox"/> Request for Refund  |   |
| <input checked="" type="checkbox"/> Response to Missing Parts / Incomplete Application     | Remarks:   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual Name                    | David R. Preston  |
| Signature                                  |  |
| Date                                       | Jan 9 2002  |

| CERTIFICATE OF MAILING   |   |       |              |
|--|---|-------|--------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date. |   |       | Date: 1/9/02 |
| Typed or printed name:   | Adam A. Welland   |       |              |
| Signature  |  | Date: | 1/9/02       |

**FEE TRANSMITTAL**

Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

Complete if Known

|  |   |                     |            |              |                 |                       |             |                   |                  |                |                    |
|--|---|---------------------|------------|--------------|-----------------|-----------------------|-------------|-------------------|------------------|----------------|--------------------|
| <p><b>Total Amount of Payment</b>    <b>\$ 65.00</b></p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number:</td> <td style="width: 50%;">09/973/629</td> </tr> <tr> <td>Filing Date:</td> <td>October 9, 2001</td> </tr> <tr> <td>First Named Inventor:</td> <td>Cheng, Jing</td> </tr> <tr> <td>Group / Art Unit:</td> <td>To be determined</td> </tr> <tr> <td>Docket Number:</td> <td>ART-00105.P.1.1-US</td> </tr> </table> | Application Number: | 09/973/629 | Filing Date: | October 9, 2001 | First Named Inventor: | Cheng, Jing | Group / Art Unit: | To be determined | Docket Number: | ART-00105.P.1.1-US |
| Application Number:                                      | 09/973/629  |                     |            |              |                 |                       |             |                   |                  |                |                    |
| Filing Date:   | October 9, 2001   |                     |            |              |                 |                       |             |                   |                  |                |                    |
| First Named Inventor:                                    | Cheng, Jing   |                     |            |              |                 |                       |             |                   |                  |                |                    |
| Group / Art Unit:  | To be determined  |                     |            |              |                 |                       |             |                   |                  |                |                    |
| Docket Number:   | ART-00105.P.1.1-US  |                     |            |              |                 |                       |             |                   |                  |                |                    |

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  
     Deposit Account Number: [ ]  
     Deposit Account Name: [ ]  
☐ Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17 to  
     Deposit Account Number 50132  
☐ Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance.

2. ☒ Payment Enclosed  
     ☒ Check Number \_\_\_\_\_  
     ☐ Money Order  
     ☐ Other

**FEE CALCULATION**

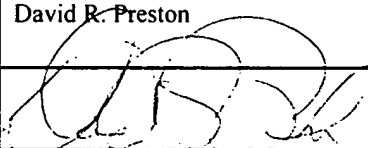
**1. BASIC FILING FEE**

|                     | Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid       |
|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------------|
|                     | 101                   |                       | 201                   |                       | Utility Filing Fee     | \$             |
|                     | 106                   |                       | 206                   |                       | Design Filing Fee      | \$             |
|                     | 107                   |                       | 207                   |                       | Plant Filing Fee       | \$             |
|                     | 108                   |                       | 208                   |                       | Reissue Filing Fee     | \$             |
|                     | 114                   |                       | 214                   |                       | Provisional Filing Fee | \$             |
| <b>SUBTOTAL (1)</b> |                       |                       |                       |                       |                        | <b>\$ 0.00</b> |

| 2. EXTRA CLAIM FEES   |              |          |              |              |  |                |        |          |
|---|--------------|----------|--------------|--------------|--|----------------|--------|----------|
|   |              |          |              | Extra Claims |  | Fee From Below |        | Fee Paid |
| Total Claims  | [ ]          | -20 **   | Equals       | [0]          | Times  | [ ]            | Equals | \$ 0.00  |
| Independent Claims  | [ ]          | -3 **    | Equals       | [0]          | Times  | [ ]            | Equals | \$ 0.00  |
| Subtotal (2)  |              |          |              |              |  |                |        | \$ 0.00  |
| ** or number previously paid, if greater, For Reissues, see below |              |          |              |              |  |                |        |          |
|   | Large Entity |          | Small Entity |              | Fee Description  |                |        |          |
|   | Fee Code     | Fee (\$) | Fee Code     | Fee (\$)     |  |                |        |          |
|   | 103          |          | 203          |              | Claims in excess of 20                                     |                |        |          |
|   | 102          |          | 202          |              | Independent claims in excess of 3                          |                |        |          |
|   | 104          |          | 204          |              | Multiple dependent claim, if not paid                      |                |        |          |
|   | 109          |          | 209          |              | ** Reissue independent claims over original patent         |                |        |          |
|   | 110          |          | 210          |              | ** Reissue claims in excess of 20 and over original patent |                |        |          |

| 3. ADDITIONAL FEES                 |          |              |          |  |          |
|------------------------------------|----------|--------------|----------|--|----------|
| Large Entity                       |          | Small Entity |          | Fee Description  | Fee Paid |
| Fee Code                           | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                                |          | 205          | 65.00    | Surcharge - late filing fee or oath                            | \$65.00  |
| 127                                |          | 227          |          | Surcharge - late provisional filing fee or cover sheet         | \$       |
| 139                                |          | 139          |          | Non-English specification                                      | \$       |
| 147                                |          | 147          |          | For filing a request for reexamination                         | \$       |
| 112                                |          | 112          |          | Requesting publication of SIR prior to Examiner action         | \$       |
| 113                                |          | 113          |          | Requesting publication of SIR after Examiner action            | \$       |
| 115                                |          | 215          |          | Extension for reply within first month                         | \$       |
| 116                                |          | 216          |          | Extension for reply within second month                        | \$       |
| 117                                |          | 217          |          | Extension for reply within third month                         | \$       |
| 118                                |          | 218          |          | Extension for reply within fourth month                        | \$       |
| 128                                |          | 228          |          | Extension for reply within fifth month                         | \$       |
| 119                                |          | 219          |          | Notice of Appeal   | \$       |
| 120                                |          | 220          |          | Filing a brief in support of an appeal                         | \$       |
| 121                                |          | 221          |          | Request for oral hearing                                       | \$       |
| 138                                |          | 138          |          | Petition to institute a public use proceeding                  | \$       |
| 140                                |          | 240          |          | Petition or revive - unavoidable                               | \$       |
| 141                                |          | 241          |          | Petition or revive - unintentional                             | \$       |
| 142                                |          | 242          |          | Utility issue fee (or reissue)                                 | \$       |
| 143                                |          | 243          |          | Design issue fee   | \$       |
| 144                                |          | 244          |          | Plant issue fee  | \$       |
| 122                                |          | 122          |          | Petitions to the Commissioner                                  | \$       |
| 123                                |          | 123          |          | Petitions related to provisional applications                  | \$       |
| 126                                |          | 126          |          | Submission of Information Disclosure Statement                 | \$       |
| 581                                |          | 581          |          | Recording each patent assignment per property                  | \$       |
| 146                                |          | 246          |          | Filing a submission after final rejection (37 C.F.R. 1.129(a)) | \$       |
| 149                                |          | 249          |          | For each additional invention to be examined (37 CFR 1.129(b)) | \$       |
| Other fee (specify):               |          |              |          |  | \$       |
| * Reduced by Basic Filing Fee Paid |          |              |          | Subtotal (3)   | \$ 65.00 |

| 4. SUMMATION OF FEES |          |
|----------------------|----------|
| SUBTOTAL (1)         | \$ 0.00  |
| SUBTOTAL (2)         | \$ 0.00  |
| SUBTOTAL (3)         | \$ 65.00 |
| TOTAL FEES           | \$ 65.00 |

| SUBMITTED BY          |   |              | Complete (If Applicable)       |        |
|-----------------------|---|--------------|--------------------------------|--------|
| Typed or Printed Name | David R. Preston  |              | Registration Number:           | 38,710 |
| Signature             |  | Date: 1/9/00 | Deposit Account User ID Number | 50132  |



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Page 1 of 1



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/973,629         | 10/09/2001          | Jing Cheng            | ART-00105.P1.1-US      |

CONFIRMATION NO. 6241

FORMALITIES LETTER



\*OC000000007050247\*

.232  
DAVID R PRESTON & ASSOCIATES  
625 HIGH BLUFF DRIVE  
SUITE 205  
SAN DIEGO, CA 92130

Date Mailed: 11/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/26/2002 HMARZ11 00000049 09973629

01 FC:205

65.00 OF

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